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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 DAKOTA JEREMIAH PEVINO,
15 Defendant.

CASE NO. 2:23-cr-00288-JAM

**STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER**

DATE: January 9, 2024
TIME: 9:00 a.m.
COURT: Hon. John A. Mendez

16
17 **STIPULATION**

18 Plaintiff United States of America, by and through its counsel of record, and defendant, by and
19 through defendant's counsel of record, hereby stipulate as follows:

20 1. By previous order, this matter was set for status on January 9, 2024.

21 2. By this stipulation, defendant now moves to continue the status conference until April 09,
22 2024, at 09:00 a.m, and to exclude time between January 9, 2024, and April 09, 2024, at 09:00 a.m,
23 under Local Code T4.

24 3. The parties agree and stipulate, and request that the Court find the following:

25 a) The government has represented that the discovery associated with this case
26 includes approximately 1700 pages/ items/ files of discovery in this case, including search
27 warrant photos, bank records and interview recordings. Additional evidence, consisting of
28 multiple electronic devices and video evidence, is available for defense review at a government

1 office.

2 b) A continuance is requested because counsel for the defendant needs additional
3 time to conduct investigation, review materials collected during the government's investigation
4 to date, and perform legal research.

5 c) Counsel for defendant believes the failure to grant a continuance in this case
6 would deny defense counsel reasonable time necessary for effective preparation, taking into
7 account the exercise of due diligence.

8 d) The government joins in the request for the continuance.

9 e) Based on the above-stated findings, the ends of justice served by continuing the
10 case as requested outweigh the interest of the public and the defendant in a trial within the
11 original date prescribed by the Speedy Trial Act.

12 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
13 et seq., within which trial must commence, the time period of January 9, 2024 to April 09, 2024,
14 at 09:00 a.m, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv)
15 [Local Code T4] because it results from a continuance granted by the Court at defendant's
16 request on the basis of the Court's finding that the ends of justice served by taking such action
17 outweigh the best interest of the public and the defendant in a speedy trial.

18 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
19 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
20 must commence.

21 IT IS SO STIPULATED.

22 Dated: January 4, 2024

PHILLIP A. TALBERT
United States Attorney

23
24 Dated: January 4, 2024

/s/ CHRISTINA McCALL
CHRISTINA McCALL
Assistant United States Attorney

/s/ MICHELLE TRIGGER
MICHELLE TRIGGER
Counsel for Defendant
DAKOTA JEREMIAH PEVINO

ORDER

The Court has read and considered the parties' Stipulation. The Court ORDERS that the status conference be **CONTINUED to April 09, 2024, at 09:00 a.m.** The Court hereby finds that the Stipulation, which the Court incorporates by reference into this Order, demonstrates facts that provide a basis to exclude time under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]. Time is excluded under the Speedy Trial Act between January 9, 2024, and April 09, 2024, at 09:00 a.m.

Dated: January 04, 2024

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE